

**Alexandria Township
Land Use Board
December 16, 2021**

Chair Phil Rochelle called the regular scheduled meeting of the Alexandria Township Land Use Board to Order at 7:31pm. The meeting was duly noticed.

Members Present: Chair Rochelle, Fritsche, Freedman, Canavan, Tucker, Mayor Plumer, Deputy Mayor Pfefferle, Giannone, Pauch, Kimsey, and Hahola.

Members Absent: Papazian

Board Professionals Present: Kara Kaczynski-Board Attorney, David Banisch-Board Planner, Tom Decker-Board Engineer.

Others Present: Approximately 250 Residents of Alexandria Township

Minutes Approval

A motion to approve the October 21, 2021 regular meeting minutes of the Land Use Board was made by **Kimsey** and seconded by **Pauch**. **Vote: Ayes: Chair Rochelle, Fritsche, Freedman, Canavan, Tucker, Giannone, Deputy Mayor Pfefferle, Pauch, and Kimsey. Abstain: Mayor Plumer, Hahola. No Nays. Motion Carried.**

New and pending Matters

**Fritsche – Minor Subdivision – Application Withdrawn
65 & 74 Airport Rd.**

A motion to approve the withdrawal of the application was made by **Canavan** and seconded by **Tucker**. **Vote: Ayes: Chair Rochelle, Freedman, Canavan, Tucker, Mayor Plumer, Deputy Mayor Pfefferle, Giannone, Pauch and Kimsey. No Nays. Motion Carried.**

Cannabis – Land Use Ordinance – Discussion

Board member **Fritsche** recused himself at 7:37.

Banisch opened by giving a brief summation of the key points for discussion regarding the cannabis ordinance. He explained the role of the Land Use Board is to consider, prepare and recommend regulations for an ordinance. He explained once this process concludes, the Board formulates recommendations for the ordinance and creates a draft ordinance which is brought to the Committee for the Committee's consideration. After the Township Committee considers the recommendations, if they so choose, the Committee will introduce the ordinance at one of their meetings. Once introduced, the Committee refers the ordinance back to the Land Use Board for a Master Plan consistency determination. The Land Use Board reviews the Master Plan consistency determination which is then referred to the Committee as to whether the proposed ordinance is consistent or inconsistent with the Master Plan. Once received by the Committee, there will be a public hearing and the Committee will

vote on the proposed ordinance. He advised it is a lengthy process which is driven by procedures required under the law.

In July, 2021, ordinance 2021-06 was adopted in Alexandria Township prohibiting all classes of cannabis businesses pursuant to section 31.b. of the NJ Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act. **Banisch** advised Resolution 2021-117 was adopted on November 8, 2021 in which the Committee requested the Land Use Board to move forward with preparation and recommendation of a suitable land use ordinance to regulate cannabis use facilities. This request came in response to private sector interest to establish a medical marijuana facility in Alexandria. He explained the necessity for the Township to adopt this ordinance.

Banisch enumerated considerations for the Board's discussion of the proposed Ordinance. He advised the board should determine in which zoning districts medical marijuana cultivation be permitted unless the board proposes that it should not be permitted in some or all the towns zoning districts, then the Board's recommendation to the township committee should reflect that. If the Board decides that medical marijuana cultivation be permitted in one or more zoning districts, then zoning standards would be needed to guide the development of land use for medical marijuana cultivation in Alexandria Township.

Banisch explained the general considerations of a cannabis facility, as well as requirements by state law of the facility. He advised water consumption of the facility would rely on groundwater supply. He advised there would be considerations for setbacks, lot size, and height of the facility. He advised Alexandria Townships land use code permits industrial uses under the G-1 Manufacturing use which is only permitted in the IC- Industrial Commercial District. He continued that there are standards that have been developed in the Land Use Ordinance under section 115-28, Environmental Restrictions which he reviewed. He outlined questions to be considered by the Board for the process of creating the cannabis ordinance.

Chair Rochelle directed the Board to begin the discussion. **Mayor Plumer** asked the planner what the ramifications would have been if the Township did not opt out under Ordinance 2021-06. **Banisch** explained the permitted and conditional uses had the township not opted out. The state's default position would be for it to be a permitted use in the Industrial Zone. **Mayor Plumer** advised the only possible place for a facility would be in the Industrial Zone but due to the nuisance issues, this is not certain. **Deputy Mayor Pfefferle** asked if the Township could require the facility to have public water and sewer to control water discharge treatment and consumption. **Banisch** advised he believes it could be required but would need to be provided if permitted in the IC Zone. **Giannone** recommended that if permitted, only in the IC Zone. **Freedman** advised another potential concern is that the IC zone backs up to the Delaware River. She expressed concerns over the water usage and discharge of the facility. **Banisch** advised that requiring the facility to be connected to sewer would provide that the discharge is treated. **Pauch** asked about separating regulating cultivation, processing, and sales. **Banisch** advised he believes these could be regulated separately. **Tucker** expressed that from what she has heard about growing medical or recreational cannabis, that the growing facility would be the same. She advised that if it is even allowed, that it would only be allowed in the IC zone. **Chair Rochelle** agreed that the IC Zone would be the only zone if permitted. **Canavan** advised that regardless of medical or recreational the impact to the community is the same. He agrees with Ms. Tucker. **Pauch** advised that cultivation and processing are two separate things. He felt cultivation would be in the Agricultural district. **Chair Rochelle** advised cannabis is grown in a large indoor structure, hydroponically and no dirt is involved.

He continued to say that the water for the plants are taken from the aquifer. **Kimsey** commented the facility in Whitehouse looks like a factory and not agricultural. In his opinion if allowed, only in the IC Zone. He understands that the power and water consumption required is more than that of a hospital. **Hahola** commented in response to Mr. Pauch, that it his understanding that the SADC allows it to be grown as a fiber plant to produce hemp. He understands that once the plant reaches a certain level of THC then the crop is destroyed.

Chair Rochelle asked for public comment.

Public Comment

Approximately 63 residents in Alexandria voiced their concerns pertaining to a cannabis facility. Residents expressed concerns with regards to the chemicals used in the process, the strain on the aquifer, the odor and truck traffic. Residents expressed concerns that a cannabis facility would diminish the rural character and nature of the Township. Many expressed concerns over the proximity of the facility to the schools and expressed their opposition to the proposed ordinance.

Chair Rochelle thanked the residents for their comments to the Board. He advised the process will continue at next month's meeting.

Approval of the Bills

A motion was made by **Freedman** and seconded by **Kimsey** to approve the bills for the professionals of the Land Use Board. **Vote: Ayes: Chair Rochelle, Freedman, Canavan, Tucker, Mayor Plumer, Deputy Mayor Pfefferle, Giannone, Pauch, Kimsey and Hahola. No Nays. Motion Carried.**

Motion to Adjourn

A motion was made by **Deputy Mayor Pfefferle** and seconded by **Kimsey** to adjourn at 10:05pm. **Vote: Ayes: Chair Rochelle, Freedman, Canavan, Tucker, Mayor Plumer, Deputy Mayor Pfefferle, Giannone, Pauch, Kimsey and Hahola. Motion Carried.**

Respectfully Submitted,
Leigh Gronau – Land Use Board Secretary